

Lahontan Regional Water Quality Control Board

MINUTES

February 12-13, 2013

Regular Meeting

Lahontan Regional Water Quality Control Board Annex
971 Silver Dollar Avenue, Hearing Room
South Lake Tahoe, CA 96150

Board Members Present

Amy Horne, Ph.D., Chair, Truckee
Kimberly Cox, Vice Chair, Helendale
Don Jardine, Markleeville
Eric Sandel, Truckee

Board Member Absent

Keith Dyas, Rosamond
Peter C. Pumphrey, Bishop

Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

State Board Staff Present

David Boyers, Office of Enforcement
Naomi Kaplowitz, Office of Enforcement

Regional Board Staff Present

Patty Z. Kouyoumdjian, Executive Officer
Lauri Kemper, Assistant Executive Officer
Chuck Curtis, Sup. Engineering Geologist
Mike Plaziak, Sup. Engineering Geologist
Douglas Smith, Sup. Engineering Geologist
Alan Miller, Senior WRCE
Scott Ferguson, Senior WRCE

Richard Booth, Senior Engineering Geologist
Robert Tucker, WRCE
Bob Larsen, Staff Environmental Scientist
Eric Taxer, WRCE
Dan Sussman, Environmental Scientist
Lisa Scorable, Engineering Geologist
Sue Genera, Executive Assistant, Board Clerk

REGULAR MEETING

Wednesday, February 12, 2014- 4:00 p.m.

To view the full Agenda and listen to the audio file of this meeting [CLICK HERE](#)

INTRODUCTIONS

Chair Horne called the meeting to order at 4:00 p.m. on February 12, 2014 and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

OTHER BUSINESS

1. Minutes of the Regular Meeting of January 8-9, 2014, held in Barstow, CA.
 - **Motion:** Moved by Mr. Sandel, seconded by Ms. Cox and **unanimously carried** to adopt the Minutes as presented.

Click here to view the adopted [January 2014 Minutes](#)

2. ADOPTION OF UNCONTESTED CALENDAR

Note: An (*) appears next to items adopted by the Board on the uncontested calendar.

Mr. Jardine read a statement stating that although he holds a seat on the Alpine County Board of Supervisors he could make a fair and balanced decision when voting on Items 3 and 4 of the Agenda.

Alan Miller, Senior WRCE, addressed the Board and gave comments on Items 3 and 4.

Public Comment

- Sue Rae Irelan, with the California Tahoe Conservancy, thanked Water Board staff, Bud Amorfini, and Alan Miller for an excellent job in bringing the Greenway Shared Use Trail Item forward.
- John Brissenden, Owner, Sorensen's Resort, thanked Water Board staff Rob Tucker and Alan Miller for their excellent work.

- **Motion:** Moved by Mr. Jardine, seconded by Ms. Cox and **unanimously carried** to adopt the uncontested calendar with revisions as presented.

3. *Amended Waste Discharge Requirements for South Tahoe Public Utility District Wastewater Recycling Plant, El Dorado and Alpine Counties

*See Item 2

Click here to view Amended [Board Order No. R6T-2004-0010A1](#)

4. *Amended Waste Discharge Requirements for Sorensen's Resort Wastewater Treatment Systems, Alpine County

*See Item 2

Click here to view Amended [Board Order No. R6T-2004-0028A1](#)

5. *Waste Discharge Requirements for California Department of Transportation - District 10 Industrial Washwater Recycling, Treatment and Disposal System, Woodfords Maintenance Station

*See Item 2

Click here to view adopted [Board Order No. R6T-2014-0012](#)

6. *South Tahoe Greenway Shared Use Trail, Phase 1A Project, California Tahoe Conservancy - Exemption to a Waste Discharge Prohibition Contained in the Water Quality Control Plan for the Lahontan Region

*See Item 2

Click here to view adopted [Resolution No. R6T-2014-0013](#)

REPORTS**7. Reports by Water Board Chair and Board Members**

Chair Horne reported on her recent Chair's conference call. The State Board will be sending letters to all Regional Board Members asking for volunteer participation on two committees, one on Climate Change and one on Environmental Justice. Tom Howard covered state policy issues related to the drought. Chair Horne shared Region 6's SEP Pilot Program and Nearshore strategy. Region 9 is engaging stakeholders in their strategic plan.

8. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, presented the [February Written Report](#) and gave additional updates on:

- a. California's Drought
- b. Governor's Budget
- c. Water Quality Monitoring

Note: The Board recessed for dinner at 5:02 p.m.

REGULAR MEETING: Wednesday, February 12, 2014 - 7:00 p.m.**INTRODUCTIONS**

Chair Horne called the meeting to order at 7:02 p.m. on February 12, 2014 and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

Chuck Curtis, Supervising WRCE, presented Water Board staff, Scott Ferguson, Senior WRCE, with an award for 25 years of service with the State of California.

9. PUBLIC FORUM

None.

10. Lahontan Water Board Supplemental Environmental Project (SEP) Program

Water Board staff, Eric Taxer, presented a power point presentation outlining the proposed SEP Program and answered Board questions.

- **Motion:** Moved by Mr. Sandel, seconded by Ms. Cox and **unanimously carried** to adopt the Resolution with revisions as presented.

Click here to view adopted [Resolution No. R6T-2014-0014](#)

11. Lahontan Water Board SEP Endowment Fund Pilot Program Agreement With the Truckee River Watershed Council

Mr. Taxer, presented a power point presentation outlining the proposed SEP Endowment Fund Pilot Program and answered Board questions.

Public Comment

- Lisa Wallace and Beth Christman with the Truckee River Watershed Council addressed the Board in support of this Item.
 - **Motion:** Moved by Mr. Sandel, seconded by Mr. Jardine and **unanimously carried** to adopt the Resolution with revisions as presented.

Click here to view adopted [Resolution No. R6T-2014-0015](#)

Note: The Board took a break from 7:55 p.m. to 8:05 p.m.

12. Discussion of Lahontan Water Board Accomplishments and Priorities

The Executive Officer, Assistant Executive Officer, and each of the Division Managers made presentations to the Board. Discussed were: the Organizational chart and division of workload, performance targets, Water Board programs, accomplishments from the current fiscal year, priorities for next fiscal year, and Statewide Policies.

Note: the Board recessed at 10:16 p.m.

REGULAR MEETING CONTINUED: Thursday, February 13, 2014 - 8:30 a.m.**INTRODUCTIONS**

Chair Horne called the meeting to order at 8:30 a.m. on February 13, 2014 and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

OTHER BUSINESS**13. Lake Tahoe Nearshore – Implementation Plan**

Dan Sussman, Environmental Scientist, presented a power point presentation highlighting key findings of the Nearshore Report, proposed Nearshore Water Quality Protection Plan, public comments received, and answered Board questions.

Public Comment

- Melissa Thaw, with the League to Save Lake Tahoe, addressed the Board in favor of the Nearshore Plan, asked clarifying questions, and gave recommendations from the League.
- Jennifer Quashnick, with the Friends of the West Shore and Tahoe Area Sierra Club, thanked staff for their efforts bringing this Item forward and hoped that there would be more efforts in monitoring near the lake Lake and its effects on nearshore clarity.

Board Comments

Mr. Sandel asked if there were plans to monitor private sewage collection systems. Mr. Sussman stated that currently proposed only where hotspots have been identified from existing periphyton data, but that greater monitoring could be done, however, a plan has not yet been completed.

Chair Horne agreed with taking look at private sewage collection systems and that there was no need to wait in pursuing it. She asked staff to develop a Goal Statement for the public for the Nearshore Project. She also asked that nearshore standards not be driven by historic conditions but by the constraints of what is possible and by what the people want.

Note: The Board took a break from 9:35 a.m. to 9:52 a.m.

ENFORCEMENT

The Chair asked for all participants giving testimony in the Administrative Civil Liability cases to stand and be sworn in.

Items 14-15

Lisa Scorable, Engineering Geologist, addressed the Board and presented a chronology of Order compliance from 1991 to present and the methodology behind the proposed liability amounts for both Administrative Civil Liability cases. Gary Ormachea, former homeowner in the Spalding Tract Subdivision, and Chris Galliger, General Manager of the Community Services District, provided testimony. The Board asked clarifying questions from witnesses and staff. The Board recessed into Closed Session from 11:22 a.m. to 12:07 p.m. to deliberate.

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Jardine, and **unanimously carried** to postpone the final resolution on Item 14, Administrative Civil Liability Order for Mark Johnson, until July 2014.
- **Motion:** Moved by Mr. Jardine, seconded by Mr. Sandel, and **unanimously carried** to adopt Item 15, Administrative Civil Liability Order for Ormachea, Gary L. & Jean Y., with amended language and liability amounts.

14. Public Hearing – Consideration of an Administrative Civil Liability Order for Mark Johnson for Violating Cease and Desist Order No. R6T-2011-0069, Spalding Tact Subdivision, Lassen County APN 077-351-27-11

This Item was postponed until July 2014.

15. Public Hearing – Consideration of an Administrative Civil Liability Order for Ormachea, Gary L. & Jean Y. for Violating Cease and Desist Order No. R6T-2011-0072, Spalding Tact Subdivision, Lassen County APN 077-254-20-11

Click here to view adopted [Board Order No. R6T-2014-0010](#)

12. CLOSED SESSION**

There were no additional Closed Session discussions.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 12:12 p.m. on February 13, 2014.

Prepared by: _____ Adopted: _____ April 9, 2014 _____
 Sue Genera, Executive Assistant